

MEETING SUMMARY
PROPERTY TAX ADMINISTRATION TASK FORCE
AUGUST 16, 2000 10:00 AM TO 3:00 PM

MEMBERS IN ATTENDANCE: Rod Adams, Jimmy Alvarez, Bill Coleman, Morgan Gilreath, Bill Graham, Rene Lewis, Bob McKee (for Stan Stephens), Fred Meeker, Sharon Outland, Ken Small (new member for Florida League of Cities), Bill Suber, Mindy Toback-Seiden, Vicki Weber, Karl Zimmerman.

MEMBERS ABSENT: Randy Miller, Alita Marlo

Bebe Blount, Chief-of-Staff for the Department, chaired the morning's session. She explained that Jim Zingale was unable to attend during the morning because of an unforeseen schedule conflict with the first meeting of the State Tax Reform Task Force and his required attendance at that forum during the morning. She announced that she would be Acting Chair for the meeting until Jim Zingale arrived.

Ms. Blount covered several housekeeping items, including a change of order for two items scheduled for discussion during the afternoon. She announced that copies of all documents contained in the members' packets were on the table at the rear of the meeting room and available to any interested party.

The Acting Chair explained that based on legal interpretation of Florida Statutes it was necessary to name the group "Property Tax Administration Task Force." However, the single purpose of the group continues to be a conduit to broaden input from all stakeholders concerning issues specifically related to property tax administration in Florida and to provide input into the direction of the Department's Property Tax Administration Program.

Ms. Blount introduced David Beggs, a recently hired research economist with the Department. She explained that one of Mr. Beggs' main roles will be to act as the executive support staff to the task force. Mr. Beggs gave a brief summary of his background prior to joining the Department.

Ms. Blount then introduced Ms. Gerry Hammond, an attorney with the Florida Attorney General's Office, who is a subject matter expert in Florida's Sunshine Law and public records issues.

Ms. Hammond provided members with the names of several current sources where information on the Sunshine Law and Florida public records law can be obtained for further reference by interested parties. Then she gave a brief overview of the requirements of section 286.011, F.S., concerning the public meeting law and Chapter 199, concerning the public records law.

In discussing the public meeting law, she noted that the Department had prepared an overview of the requirements of this law and that copies of this document were available in the back of the room. Included in the overview was information on the necessity to provide public notice of meetings, that formal votes are not necessary, that members are able to socialize as long as they are not discussing issues to be considered by the body, that meetings be open and accessible to the public, that proceedings be recorded, and that a written record is required without verbatim transcripts. She also discussed the penalties for violation of the public meeting law.

Her discussion of the public records laws under Chapter 119, F.S., covered the type of materials that must be made available to the public, reasonable time frames to provide the materials, who is authorized to receive and inspect the records, the format of the records, and the fees for reproduction of the records. Ms. Hammond completed her presentation by responding to several questions posed by task force members.

Ms. Blount continued the public meeting discussion with information on the structure of future communications between members, the Department staff and the public. She explained that all discussions of task force issues by members would have to be in a public place and accessible by the public.

The next issue addressed by the members was that of expanding the membership of the task force to include a wider range of interests. It was originally contemplated that a small focus group of members would get together to make recommendations as to the addition of new members, but based on further research of the requirements of the public meeting laws that activity did not take place. Instead, Ms. Rene Lewis conducted individual research on several organizations which had been recommended for representative membership on the task force.

Ms. Blount read Ms. Lewis' list of organizations identified by various sources and a brief description of the organizations and their membership base.

Ms. Lewis made a recommendation that membership representation be extended to three organizations, based on her personal knowledge of those organizations. She recommended extending membership to the Florida Home Builders, the Florida Association of Realtors and to a member who would represent issues related to the telecommunications industry. After a brief discussion by the members, all were in agreement to ask the three groups to designate a representative to the Task Force. Ms. Blount said she would contact the groups to inquire as to whether they were interested in designating a member for representation.

The Acting Chair then introduced Steve Keller, Chief Property Tax Attorney with the Department's Office of General Counsel, to provide the members with an overview of administrative rules which the Department is currently proposing. Mr. Keller reviewed the proposed rules which included issues related to: continuing education for property appraiser and tax collectors; motor vehicle stickers for mobile homes; educational exemption for charter schools; repeal of an unnecessary rule related to homes for the aged; changes to the record layout required for tax roll submission and information related to public officials; record-keeping requirements for tax collectors; method of payment at tax deed sales; forms amendments; and, electronic filing of tangible personal property returns.

After Mr. Keller completed his presentation, Ms. Blount introduced Connie Frank, Program Administrator for the tangible personal property section of the Property Tax Administration Program. Ms. Frank was requested to provide information about a recent legislative budget for seven more auditors for the tangible personal property section beginning in July 2000. Ms. Frank provided an overview of the Program's current efforts in the tangible personal property area. These efforts have included: the design of educational courses for the property appraisers, audit assistance, discovery

assistance to the property appraisers to identify under-reported and unreported personal property, and the adoption of current guidelines dealing with standards of value to be used in assessing tangible personal property.

Ms. Frank then explained to members that the Program is in the midst of developing a business plan under which her staff of 19 employees will conduct procedural audits of the tangible personal property assessment programs within the counties. These audits will require two years to complete and will identify the effectiveness of the counties assessment process, though they will not attempt to quantify a level of assessments like those produced by the Department under the in-depth study of the real property tax rolls. Ms. Frank responded to several questions by the members issues related to the upcoming studies.

At this point the Task Force recessed for a lunch break.

After lunch, the meeting reconvened with Jim Zingale as chair for the afternoon. The afternoon discussions were organizational in nature and focused on how issues will be addressed by the membership in future meetings. He categorized members' issues into three groups:

- Group 1: Single subject issues which are limited in interest to a few members. The department will assist in researching the issues, compile fiscal notes, draft legislation and allow the member to file the legislation, as an individual, or to bring it back to the task force for discussion and recommendation.
- Group 2: Issues the full committee should be involved in making recommendations to include: the roll approval process, general tax questions and policy questions. For these issues the Department will conduct the research and bring the information back to the task force for general discussion.
- Group 3: Issues where the most workable approach to facilitate solutions or discussions is to form equally balanced focus groups for which the Department will facilitate discussions and help develop recommendations. These issues are tangible personal property assessment and uniform guidelines, the tax appeal process (VAB appeals), and issues related to mobile home assessments.

The one exception to discussing issues previously presented by members is that of how the Department will develop the real property guidelines and the process under which the Department will obtain public input. Jim Zingale explained that because Florida Statutes requires a specific process for guideline development public input in this area will be received based on the manner set out by Chapter 120, Florida Statutes. To explain this process, he introduced Jeff Kielbasa, Taxpayer Advocate for the Department.

Mr. Kielbasa provided the members with an overview of the Department's Manual of Instructions for Property Appraisers. He discussed the Department's recent efforts to update the real property guidelines, the decision to stop the process begun two years earlier, and the reasons the Department is continuing the process under a different approach. Mr. Kielbasa explained guideline development is scheduled to resume in November 2000. He presented a capsule overview of the timeline necessary to put guidelines in place by the January 1, 2002, assessment date.

The next area of discussion was how best to organize members into focus groups to work on issues related to the VAB appeal process, tangible personal property assessments and uniform guidelines for that process, and mobile home assessments. Jim Zingale turned the floor over to Bebe Blount to describe the ballot process to identify members preferences for working on any of the groups. Ms. Blount explained the process. Members completed their preference ballots.

While the ballots were being tallied, Jim Zingale provided a detailed discussion of the Department's activities during the last seven months at compiling a written description of the methodology and legal basis for its current in-depth study and roll approval process. He explained that the Department has in the past dedicated most of its resources to implementing the "all sales ratio" methodology for roll approval and how the method has been undergoing detailed study by the Department as well as the Office of the Auditor General during its program audit of the Property Tax Administration Program.

He said that in response to our analysis and the preliminary and tentative audit findings by the Auditor General, the Department has been working to develop an action plan to address concerns created by reliance on the "all sales ratio" methodology and to determine whether our findings under this method represented the best method to conduct the Department's analysis of the tax roll. He explained several changes within the proposed action plan already in place, anticipating that these actions would address the Auditor General's recommendations. Jim Zingale and staff members provided responses to several questions about these changes.

The next order of business was the disclosure of the focus group assignments based on the preference ballots. Attachment #1 identifies the members who will be serving on the three focus groups.

Following identification of the members for each of the focus groups, the members and chair identified issues that had previously been submitted and those of interest identified by the Department for consideration by the entire task force. A facilitated discussion organized these issues as identified on Attachment #3 (Group 2).

After identifying the general issues to be considered by the full membership, two facilitated discussions took place to identify issues to be handled by the respective focus groups in the areas of value adjustment board appeals and tangible personal property issues. The topics identified for these two groups are listed on Attachment #2 (Group 3).

The final discussion of the afternoon concerned an overview of how the next meeting would be organized to prioritize consideration of the issues identified on Attachments #1, #2, and #3. While no specific issues were identified as to mobile home assessments, the members agreed that a discussion would take place at 9:00 AM on the next meeting date to identify mobile home issues and prioritize their order. This session will take place prior to the next general session that will begin at 10:00 AM.

In closing, the Jim Zingale explained that the deadline was fast approaching to make any recommendations which members would like the 2001 Legislature to consider and in that respect queried members as to their willingness to hold the next two meetings in October 2000 and January 2000. Members were in agreement to hold meetings during these two months and set October 18, 2000, and January 10, 2000, for the next meetings. The mobile home focus group will meet at 9:00 AM, and general session for the entire membership will begin at 10:00 AM.

[NOTE: BECAUSE OF UNAVOIDABLE CONFLICTS THE MEETING SCHEDULED FOR OCTOBER 18, 2000, HAS BEEN RESCHEDULED TO TAKE PLACE ON OCTOBER 12, 2000]

Summary Compiled By:
